

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

COMMONWEALTH OF MASSACHUSETTS,

Plaintiff,

AQUINNAH/GAY HEAD COMMUNITY
ASSOCIATION, INC., and TOWN OF AQUINNAH,

Intervenor-Plaintiffs/Counterclaim-Defendants,

v.

THE WAMPANOAG TRIBE OF GAY HEAD
(AQUINNAH), THE WAMPANOAG TRIBAL
COUNCIL OF GAY HEAD, INC., and THE
AQUINNAH WAMPANOAG GAMING
CORPORATION,

Defendants/Counterclaim-Plaintiffs,

v.

CHARLES D. BAKER, in his official capacity as
GOVERNOR, COMMONWEALTH OF
MASSACHUSETTS, et al.,

Third-Party Defendants.

Civil Action
No. 13-13286-FDS

INTERVENOR-PLAINTIFF/COUNTERCLAIM-DEFENDANT
AQUINNAH/GAY HEAD COMMUNITY ASSOCIATION, INC.'S
LOCAL RULE 56.1 STATEMENT

Pursuant to Local Rule 56.1, although the Wampanoag Tribe of Gay Head (Aquinnah) and the Aquinnah Wampanoag Gaming Corporation's (the "Tribe") did not file a separate Local Rule 56.1 Statement in connection with its Motion for Summary Judgment, the Aquinnah/Gay Head Community Association, Inc. ("AGHCA") responds to the "additional concise statements

of material fact" contained in the Tribe's Motion for Summary Judgment (Dkt. 119 at pp.4-7) as follows:

- A. Disputed.
- B. Disputed.
- C. Disputed.
- D. Disputed.

The AGHCA further states that the question of the extent of the Tribe's jurisdiction over the Settlement Lands is a legal question, rather than a factual dispute, and thus there are no material facts of record as to which there exists a genuine issue to be tried.

Respectfully submitted,

AQUINNAH/GAY HEAD COMMUNITY
ASSOCIATION, INC.

By its attorneys,

July 23, 2015

/s/ Felicia H. Ellsworth
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CERTIFICATE OF SERVICE

In accordance with Local Rule 5.2(b), I hereby certify that this document filed through the ECF system on July 23, 2015, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ Felicia H. Ellsworth

Felicia H. Ellsworth